

Docket No.639-011497-US (TELE03-00019)
Serial No.10/764,923
Patent

REMARKS

Claims 1-10 are pending in the application.

Claims 1-7 and 9-10 have been rejected.

Claim 8 is allowed.

Claim 1 has been amended as set forth herein.

Claims 1-10 remain pending in this application.

Reconsideration of the claims is respectfully requested.

CLAIM REJECTIONS -- 35 U.S.C. §102

Claims 1-7 and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0102148 to *Perkitny, et al* (hereinafter "Perkitny"). This rejection is respectfully traversed.

In response to the Applicants' arguments made in a Response filed December 14, 2007, the Examiner clarifies that the funnel 68 of Perkitny is removable from the coin bank and therefore the Examiner considers Perkitny to teach a funnel mounted for sliding movement on a coin canister and for alignment with one of the tubular receptacles of the coin bank. The Applicants have amended Claim 1 to recite a funnel mounted for sliding movement on along a series of tubular receptacles for alignment in a first position with a first one of the series of tubular receptacles and in a second position with a second one of the series of tubular receptacles.

As the funnel of Perkitny mounts in only a single position, the Applicants submit that Perkitny cannot describe a funnel as recited in amended Claim 1. Accordingly, the Applicant

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respectfully requests that the Examiner withdraw the §102 rejection over Perkitny with respect to Claims 1-7 and 10.

Claim 1 is also rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,347,179 to *Schnitzspahn* (hereinafter "Schnitzspahn"). This rejection is respectfully traversed.

Schnitzspahn describes a device for spreading out coins for inspection and counting. *See Schnitzspahn, page 1, lines 9-15.* The device has a feed tube 1 that holds a stack of coins. As the feed tube passes along a rail 5 that includes upwardly projecting lugs 6, each lug captures a coin from the bottom of stack of coins. The Examiner asserts that the upwardly projecting lugs describe a series of tubular receptacles for holding a stack of coins.

Amended Claim 1 recites a funnel mounted for sliding movement along a series of tubular receptacles for alignment in a first position with a first one of the series of tubular receptacles and for alignment in a second position with a second one of the series of tubular receptacles, wherein the funnel is constrained from sliding movement in at least one of the first position and the second position. The amendment is support at least in paragraph [0026], lines 12-15.

As the feed tube of Schnitzspahn moves freely along the rail past the upwardly projecting lugs, the Applicants submit that Schnitzspahn cannot describe a funnel constrained from sliding movement in at least one of a first position in alignment with a first tubular receptacle and a second position in alignment with a second tubular receptacle, as recited in amended Claim 1. Accordingly, the Applicant respectfully requests that the Examiner withdraw the §102 rejection over Schnitzspahn with respect to Claim 1.

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CLAIM REJECTION – 35 U.S.C. §103

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Perkitny reference in view of U.S. Patent Application Publication No. 2002/0043958 to *Yamaguchi, et al.* (hereinafter “Yamaguchi”). The Applicant respectfully traverses the rejection.

As argued in traversing the § 102 rejection of amended independent Claim 1 over Perkitny, the Perkitny reference fails to describe all the limitations of Claim 1. The Applicants respectfully submit that Yamaguchi does nothing to overcome the shortcomings of Perkitny. Claim 9 depends from Claim 1 and includes all the limitations of Claim 1. As such, Perkitny and Yamaguchi, either singly or in combination, fail to describe all the limitations of Claim 9.

Accordingly, the Applicant respectfully requests that the Examiner withdraw the §103 rejection with respect to Claim 9.

ALLOWABLE SUBJECT MATTER

The Applicants thank the Examiner for the indication that Claim 8 is allowable. As no amendments have been made herein to Claim 8, the Applicants submit that Claim 8 remains in condition for allowance.

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CONCLUSION

As a result of the foregoing, the Applicants assert that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.


If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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